

## COMBINED DECLARATION, POWER OF ATTORNEY AND PETITION

As a below named inventor, I hereby declare that:

This declaration is of the following type:

- |                                     |                       |                          |                      |
|-------------------------------------|-----------------------|--------------------------|----------------------|
| <input checked="" type="checkbox"/> | original              | <input type="checkbox"/> | divisional           |
| <input type="checkbox"/>            | design                | <input type="checkbox"/> | continuation         |
| <input type="checkbox"/>            | supplemental          | <input type="checkbox"/> | continuation-in-part |
| <input type="checkbox"/>            | national stage of PCT |                          |                      |

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled Photochromic Polyurethane Film Improved Fatigue Resistance, the specification of which:

- (a)  is attached hereto  
(b)  was filed \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).  
(c)  was described and claimed in PCT International Application No. \_\_\_\_\_, filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 USC 119 (a) – (d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

- (d)  no such applications have been filed  
(e)  such application have been filed as follows:

Prior Foreign Application Number(s)	Country (or indicate if PCT)	Date of Filing (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?
			<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under 35 USC 119(e) of any United States provisional application(s) listed below:

Provisional Application Number(s)	Date of Filing (MM/DD/YYYY)
60/442,425	01/24/2003

I hereby claim the benefit under 35 USC § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 USC § 112, I acknowledge the duty to disclose material information as defined in 37 CFR § 1.56(a), regarding events which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status-patented, pending, abandoned

I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Inskeep, James W., Reg. 33,910  
Fredericks, Charles E., Reg. 51,703

Direct All Correspondence to CUSTOMER NUMBER: 37,374

INSKEEP INTELLECTUAL PROPERTY GROUP, INC.  
1225 W. 190<sup>th</sup> Street, Ste. 205  
Gardena, CA 90248  
Attn: James W. Inskeep  
Telephone: (310) 217-6220  
Facsimile: (310) 327-0282

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor: <b>Thomas J. Moravec</b>	Date Signed:
Inventors Signature:	
Residence (City, State and/or Country): <b>Maple Grove, MN USA</b>	Citizenship: <b>US</b>
Post Office Address(Street, City, State, Zip Code, Country): <b>8776 Blackoaks Lane N., Maple Grove MN 55311</b>	

Full Name of Inventor: <b>Michael S. Boulineau</b>	Date Signed:
Inventors Signature:	
Residence (City, State and/or Country): <b>Forest Lake, MN USA</b>	Citizenship: <b>US</b>
Post Office Address(Street, City, State, Zip Code, Country): <b>432 1<sup>st</sup> Avenue NW, Forest Lake, MN 55025</b>	

CERTIFICATE OF MAILING

I hereby certify that on January 26, 2004, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)  
 with sufficient postage  
as first class mail

37 C.F.R. § 1.10  
 as "Express Mail Post Office to Addressee" Mailing Label No.

EV 376521999 US

  
Alex Patron

**PATENT**

Applicant: Moravec et al,  
Serial No.:  
Filed: January 26, 2004  
Title: **PHOTOCHROMIC POLYURETHANE FILM OF IMPROVED FATIGUE RESISTANCE**  
Examiner: Unknown  
Group Art Unit: Unknown  
Atty Docket No.: 10-9449

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**POWER OF ATTORNEY BY ASSIGNEE  
AND EXCLUSION OF INVENTOR UNDER 37 C.F.R. § 1.32**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Vision-Ease Lens, Inc., having become the owner of all rights in and to the above-identified application by virtue of an Assignment executed by the inventors, said Assignment being submitted concurrently herewith for recording, hereby appoint the following as the attorneys of record with full power of substitution and revocation, to transact all business in the Patent and Trademark Office and before competent International Authorities connected with the above-referenced patent or patent application; said appointment to be to the exclusion of the inventors and their attorneys in accordance with the provisions of 37 C.F.R. § 1.12:

Inskeep, J.W., Reg. 33,910

Fredericks, Charles E. Reg. 51,703

whose address is:

**INSKEEP INTELLECTUAL PROPERTY GROUP, INC.**  
1225 W. 190<sup>th</sup> Street  
Gardena, CA 90248  
Telephone: 310.217.6220  
Facsimile: 310.327.0282

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

**VISION-EASE LENS, INC.**

Dated: \_\_\_\_\_

Name: Derek Harris  
Title: Vice President, Research & Development

## A S S I G N M E N T

WHEREAS, we, Thomas J. Moravec, and Michael S. Boulineau the ASSIGNORS herein, have invented certain new and useful improvements disclosed in an application for United States Letters Patent entitled *Photochromic Polyurethane Film Of Improved Fatigue Resistance* filed January 26, 2004 as Application Serial No. \_\_\_\_\_; and

WHEREAS, Vision-Ease Lens, Inc., a corporation organized and existing under the laws of the State of Minnesota, having a place of business at, 7000 Sunwood Drive NW, Ramsey, Minnesota, 55303, the ASSIGNEE herein, desires to acquire the entire right, title and interest in and to said inventions, applications and Letters Patent to be granted and issued thereon;

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) by the ASSIGNEE to me paid, and other valuable consideration, the receipt and legal sufficiency all of which is hereby acknowledged, we, the said ASSIGNORS, have sold and do hereby sell, assign, transfer and set over unto said ASSIGNEE, its successors and assigns, the entire right, title and interest in and to said inventions and all improvements thereon, in and to said application for Letters Patent thereon, in and to applications pertaining to or based upon said inventions and applications, including divisional and continuing applications and continuations-in-part, and in and to any and all Letters Patent which may be granted and issued on said inventions and applications, or any of them, not only for, to and in the United States of America, its territories and possessions, but for, to and in all countries foreign thereto, together with and including all priority rights based upon any and all applications in the United States of America covered by this Assignment.

And for the above-named considerations, we do hereby agree that we will, at the request of said ASSIGNEE, execute any and all applications for Letters Patent for said inventions and any and all other papers and documents and do all other and further lawful acts that said ASSIGNEE may deem necessary or desirable to obtain Letters Patent on said inventions, to secure the grant of such Letters Patent and to perfect and vest in the ASSIGNEE the entire right, title and interest in the inventions, applications and Letters Patent.

And for the above-named considerations, we do hereby authorize and empower the ASSIGNEE, its successors and assigns, to apply for and obtain, in its or their own names, Letters Patent for the said inventions before competent International Authorities and in any and all

countries foreign to the United States in which applications for Letters Patent can be so made or Letters Patent so obtained.

DATED at \_\_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_, 2004.

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Thomas J. Moravec  
8776 Blackoaks Lane N.  
Maple Grove, MN 55311  
Country: US  
Citizenship: US

STATE OF MINNESOTA    )  
                            ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, before me personally appeared Thomas J. Moravec to me known or proved on the basis of satisfactory evidence to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

(SEAL)

\_\_\_\_\_  
Notary Public

DATED at \_\_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_, 2004.

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Michael S. Boulineau  
432 1<sup>st</sup> Avenue NW  
Forest Lake, MN 55025  
Country: US  
Citizenship: US

STATE OF MINNESOTA    )  
                            ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, before me personally appeared Michael S. Boulineau to me known or proved on the basis of satisfactory evidence to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

(SEAL)

\_\_\_\_\_  
Notary Public